

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF NORTH CAROLINA**

United States of America,

Plaintiff;

v.

Terry Johnson, in his official capacity as
Alamance County Sheriff,

Defendant.

No. 12-cv-1349

**UNITED STATES' MOTION FOR
SUMMARY JUDGMENT**

UNITED STATES' MOTION FOR SUMMARY JUDGMENT

The United States respectfully asks the Court to grant its Motion for Summary Judgment. The undisputed facts in this litigation show that the Alamance County Sheriff's Office ("ACSO") has engaged in a pattern or practice of discriminatory traffic enforcement activities in violation of the Equal Protection Clause of the Fourteenth Amendment, the Fourth Amendment's protection from unreasonable searches and seizures, and the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14141. Summary judgment is appropriate for the reasons set forth in the United States' Brief in Support of Its Motion for Summary Judgment, ECF No. 89, and accompanying exhibits.

Respectfully submitted,

JOCELYN E. SAMUELS
Acting Assistant Attorney General

JONATHAN M. SMITH

Chief
Special Litigation Section

TIMOTHY D. MYGATT
Special Counsel

s/ Michael J. Songer
MICHAEL J. SONGER
DC Bar Number: 975029
Aaron Fleisher
Attorneys
United States Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Washington, DC 20530
Tel: (202) 514-6255
Fax: (202) 514-4883
michael.songer@usodj.gov

Attorneys for the United States

CERTIFICATE OF SERVICE

I certify that the foregoing Motion for Summary Judgment was served through the electronic filing service on March 3, 2014 to the following individual:

S.C. Kitchen
Turrentine Law Firm
920-B Paverstone Dr
Raleigh, NC 27615
ckitchen@turrentinelaw.com

Attorney for Defendant Sheriff Johnson

s/ Michael J. Songer
MICHAEL J. SONGER
Attorney for the United States